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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 08/978,633 | 11/25/1997 | ELAZAR RABBANI | ENZ-53 | 4639 |
| 28171 | 7590 | 03/03/2006 | EXAMINER | |
| ENZO BIOCHEM, INC. 527 MADISON AVENUE (9TH FLOOR) NEW YORK, NY 10022 | | | SCHULTZ, JAMES | |
| | | ART UNIT | | PAPER NUMBER |
| | | | | 1635 |

DATE MAILED: 03/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|---|----------------------------------|------------------|
| Notice of Non-Compliant Amendment (37 CFR 1.121) | Application No. | Applicant(s) |
| | 08/978,633 | RABBANI ET AL. |
| | Examiner J. D. Schultz, Ph.D. | Art Unit 1635 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 08 December 2005 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- 1. Amendments to the specification:
 - A. Amended paragraph(s) do not include markings.
 - B. New paragraph(s) should not be underlined.
 - C. Other _____.
- 2. Abstract:
 - A. Not presented on a separate sheet. 37 CFR 1.72.
 - B. Other _____.
- 3. Amendments to the drawings:
 - A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - C. Other _____.
- 4. Amendments to the claims:
 - A. A complete listing of all of the claims is not present.
 - B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - D. The claims of this amendment paper have not been presented in ascending numerical order.
 - E. Other: See Continuation Sheet.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/ropa/preognotice/officeflyer.pdf>.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action.

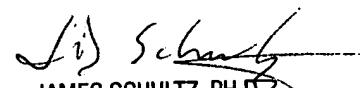
Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Continuation of 4(e) Other: Numerous claims are marked as previously presented but in fact have been amended relative to the previous pending claim. For example, claim 267 of the most recent claim set submitted 8 December 2005 is different parent to the previous pending version of claim 267, and that the claim now recites "and a binder" and "and wherein the binder and domain are the same", which was not recited in the most previous pending version of claim 267, i.e. that submitted 25 November 1997. At least claim 268, 274 276, 284, 285, 286, 290, 292, and 302 have a similar problem. Applicants are reminded that any amendment to a claim should be marked up relative to the most recent and pending version of said claim. Conversely, amendments to claims should not be marked up relative to claim amendments which were unentered for any reason.



JAMES SCHULTZ, PH.D
PRIMARY EXAMINER